THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16583 of 1998

Dated:18.04.2007

Between
B.Rajaiah

.....Petitioner

and

1. AP State Road Transport Corporation, rep., by its Managing Director, Mushirabad, Hyderabad-20
And another.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16583 of 1998

ORDER:

This writ petition is filed at a time when the services of the petitioner was sought to be removed on the ground that at the time of appointment in the year 1978 he declared his date of birth as 3.7.1949, whereas in the HSC certificate produced by him, at the time of his further promotion, it was found to be 3.7.1942. Therefore, after conducting an enquiry, the petitioner was sought to be terminated from service.

While admitting this writ petition on 14.7.1998 this Court granted interim direction to the respondents to continue the petitioner during pendency of the writ petition.

In view of the said interim orders, the

petitioner was continued and on attaining the age of superannuation retired from service. The enquiry is based on the ground that at the time of his admission into service in the year 1978, he was over aged, therefore, he was sought to be removed. May be, the petitioner was over aged and he declared his date of birth as 3.7.1949, but removal from service cannot be said to be either proper or reasonable. Even otherwise, the petitioner after serving full time, retired from service on attaining the age of superannuation.

Therefore, the writ petition is allowed and the impugned order is set aside. The respondents 1 and 2 are directed to settle all the retiral benefits to the petitioner, within a period of two months, if not already settled. No costs.

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18-04-2007

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